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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,) 3:16-CR-071-LRH-(WGC)
9 Plaintiff,)
10 v.) Preliminary Order of Forfeiture
11 JASON TYLER MCKINNISH,)
12 Defendant.)

13 This Court finds that defendant JASON TYLER MCKINNISH pled guilty to Count Two
14 of a Two-Count Superseding Indictment charging him with Possession with the Intent to
15 Distribute at least 50 Grams of Actual Methamphetamine in violation of Title 21, United States
16 Code, Section 841(a)(1). Superseding Indictment, ECF No. 18; Change of Plea, ECF No. 29;
17 Plea Agreement, ECF No. 31.

18 This Court finds defendant JASON TYLER MCKINNISH agreed to the forfeiture of the
19 property set forth in the Plea Agreement and the Forfeiture Allegation of the Superseding
20 Indictment. Superseding Indictment, ECF No. 18; Change of Plea, ECF No. 29; Plea Agreement,
21 ECF No. 31.

22 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of
23 America has shown the requisite nexus between property set forth in the Plea Agreement and the
24 Forfeiture Allegation of the Superseding Indictment and the offense to which defendant JASON
25 TYLER MCKINNISH pled guilty.

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1 The following property is subject to forfeiture pursuant to Title 18, United States Code,
2 Section 924(d)(1) with Title 28, United States Code, Section 2461(c) and Title 21, United States
3 Code, Section 853(a)(2):

- 4 1. a Bersa .380 caliber pistol bearing serial number F79742; and
 - 5 2. any and all ammunition
- 6 (all of which constitutes property).

7 This Court finds the United States of America is now entitled to, and should, reduce the
8 aforementioned property to the possession of the United States of America.

9 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
10 the United States of America should seize the aforementioned property.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest
12 of JASON TYLER MCKINNISH in the aforementioned property is forfeited and is vested in the
13 United States of America and shall be safely held by the United States of America until further
14 order of the Court.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of
16 America shall publish for at least thirty (30) consecutive days on the official internet government
17 forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited
18 property, state the time under the applicable statute when a petition contesting the forfeiture must
19 be filed, and state the name and contact information for the government attorney to be served
20 with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code,
21 Section 853(n)(2).

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or
23 entity who claims an interest in the aforementioned property must file a petition for a hearing to
24 adjudicate the validity of the petitioner's alleged interest in the property, which petition shall be
25 signed by the petitioner under penalty of perjury pursuant to Title 21, United States Code,
26 Section 853(n)(3) and Title 28, United States Code, Section 1746, and shall set forth the nature

1 and extent of the petitioner's right, title, or interest in the forfeited property and any additional
2 facts supporting the petitioner's petition and the relief sought.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
4 filed with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building,
5 400 South Virginia Street, 3rd Floor, Reno, NV 89501, no later than thirty (30) days after the
6 notice is sent or, if direct notice was not sent, no later than sixty (60) days after the first day of
7 the publication on the official internet government forfeiture site, www.forfeiture.gov.


8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if
9 any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at
10 the following address at the time of filing:

11 Greg Addington
12 Assistant United States Attorney
13 100 West Liberty Street, Suite 600
Reno, NV 89501

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described
15 herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate
16 agency following publication of notice of seizure and intent to administratively forfeit the above-
17 described property.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies
19 of this Order to all counsel of record.

20 DATED this 1st day of September, 2017.

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22 LARRY R. HICKS
23 UNITED STATES DISTRICT JUDGE
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